IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SIXTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE Ms. JUSTICE G.ROHINI

WRIT PETITION No. 19222 of 2004

Between:

Rasheed Khan, S/o Late Mohammed Khan,
R/o MCH, 14-2-374/C (14-2-374/D), Razackpura,
Darulshafa Salam, Hyderabad.

..... PETITIONER

AND

1 The Commissioner of Police, Hyderabad City, Hyderabad.
2 The Sub Inspector of Police, Police Station Shah Inayathgunj,

Hyderabad.
3 Ali Shareef, S/o late Qader Shareef,
4 Jaffer Shareef, S/o late Qader Shareef,

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue a writ order or direction or any other appropriate writ more in the nature of writ of mandamus declaring the inaction of the Respondent Nos.1 & 2 against respondent No.3 of their illegally tress-passing into the house MCH No.14-2-374/C (14-2-374/D), Razackpura, Darul-e-Salam, Hyderabad is illegal, arbitrary, unconstitutional, against under Article 14 and 21 of the Constitution of India and natural justice.

Counsel for the Petitioner : Mr.M.T.GHORI

Counsel for Respondents 1&2 : G.P. FOR HOME

The Court made the following :

ORDER:

The only grievance of the petitioner is that though he lodged a complaint with the Inspector of Police, Shah Inayathgunj Police Station on 27.7.2004 complaining about the unlawful activities of the Respondents 3 and 4 and requested to take immediate action, the respondents 1and 2 failed to take any action. Hence this writ petition seeking a declaration that the alleged inaction on the part of respondents 1 and 2 as arbitrary and illegal.

Having heard the learned counsel for petitioner and the learned Government Pleader appearing for respondents 1 and 2 and on perusal of the record, I deem it appropriate to dispose of the writ petition granting leave and liberty to the petitioner to work out the remedy as available under Section 154(3) of Criminal Procedure Code by sending the substance of the complaint in writing to the concerned Superintendent of Police, in which event, the same shall be considered by the concerned Superintendent of Police in accordance with law. No costs.

G.ROHINI, J

Date: 26.10.2004

DA

To

1 The Commissioner of Police, Hyderabad City, Hyderabad.
2 The Sub Inspector of Police, Police Station Shah Inayathgunj,

Hyderabad.

3 Two CCs to the G.P. for Home, High Court Buildings,

Hyderabad (OUT).

4 Two CD copies.